

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HUAWEI TECHNOLOGIES CO. LTD.,

Plaintiff,

v.

T-MOBILE US, INC. and T-MOBILE USA,
INC.,

Defendants,

NOKIA SOLUTIONS AND NETWORKS
US LLC and NOKIA SOLUTIONS AND
NETWORKS OY,
TELEFONAKTIEBOLAGET LM
ERICSSON, and ERICSSON INC.,

Intervenors.

Nos.

2:16-cv-0052-JRG-RSP

2:16-cv-0055-JRG-RSP

2:16-cv-0056-JRG-RSP

2:16-cv-0057-JRG-RSP

JURY TRIAL DEMANDED

JOINT STIPULATION

Plaintiff Huawei Technologies Co. Ltd. (“Huawei”), Defendants T-Mobile US, Inc. and T-Mobile USA, Inc., and Intervenors Nokia Solutions and Networks US LLC and Nokia Solutions and Networks Oy and Telefonaktiebolaget LM Ericsson and Ericsson Inc. (collectively “Defendants/Intervenors”) hereby stipulate to the following:

In view of Huawei’s Notice of Election of Claims for Trial in the above captioned cases (Doc. No. 237 in Civil Action No. 2:16-cv-52; Doc. No. 229 Civil Action No. 2:16-cv-55; Doc. No. 231 Civil Action No. 2:16-cv-56; Doc. No. 223 Civil Action No. 2:16-cv-57) and the Court’s Claim Construction Orders, Huawei and Defendants/Intervenors agree that the parties need not address unelected or invalidated claims in expert

reports, trial briefs, motions, or other filings with the Court. Thus, to the extent that an expert opined on claims that were subsequently invalidated or not included in Huawei's Notice of Election of Claims for Trial in the above captioned cases, the opposing party's rebuttal report need not address those invalidated or unelected claims. A party's failure to address those invalidated or unelected claims shall not be deemed or argued to be a waiver of a rebuttal opinion, nor shall it be deemed or argued to constitute agreement with the unrebutted opinion.

Dated: July 6, 2017

Respectfully submitted,

/s/ John D. Haynes

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been served on July 6, 2017, by electronic mail upon all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3).

Dated: July 6, 2017

/s/ John D. Haynes
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